United Nations S/RES/1559 (2004)

Security Council

Distr.: General
2 September 2004

Resolution 1559 (2004)

Adopted by the Security Council at its 5028th meeting, on 2 September 2004

The Security Council,

Recalling all its previous resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978, resolution 520 (1982) of 17 September 1982, and resolution 1553 (2004) of 29 July 2004 as well as the statements of its President on the situation in Lebanon, in particular the statement of 18 June 2000 (S/PRST/2000/21),

Reiterating its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized borders,

Noting the determination of Lebanon to ensure the withdrawal of all non-Lebanese forces from Lebanon,

Gravely concerned at the continued presence of armed militias in Lebanon, which prevent the Lebanese Government from exercising its full sovereignty over all Lebanese territory,

Reaffirming the importance of the extension of the control of the Government of Lebanon over all Lebanese territory,

Mindful of the upcoming Lebanese presidential elections and *underlining* the importance of free and fair elections according to Lebanese constitutional rules devised without foreign interference or influence,

1. *Reaffirms* its call for the strict respect of the sovereignty, territorial integrity, unity, and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon throughout Lebanon;

2. *Calls upon* all remaining foreign forces to withdraw from Lebanon;

3. *Calls for* the disbanding and disarmament of all Lebanese and non-Lebanese militias;

4. *Supports* the extension of the control of the Government of Lebanon over all Lebanese territory;

04-49892 (E)

5. *Declares* its support for a free and fair electoral process in Lebanon's upcoming presidential election conducted according to Lebanese constitutional rules devised without foreign interference or influence;

6. *Calls upon* all parties concerned to cooperate fully and urgently with the Security Council for the full implementation of this and all relevant resolutions concerning the restoration of the territorial integrity, full sovereignty, and political independence of Lebanon;

7. *Requests* that the Secretary-General report to the Security Council within thirty days on the implementation by the parties of this resolution and *decides* to remain actively seized of the matter.

United Nations S/RES/1560 (2004)

Security Council

Distr.: General
14 September 2004

Resolution 1560 (2004)

Adopted by the Security Council at its 5032nd meeting, on 14 September 2004

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Ethiopia and Eritrea, and the requirements contained therein, including in particular resolution 1531 (2004) of 12 March 2004,

Stressing its unwavering commitment to the peace process, including through the role played by the United Nations Mission in Ethiopia and Eritrea (UNMEE), and to the full and expeditious implementation of the Comprehensive peace agreement signed by the Governments of Ethiopia and Eritrea (hereinafter referred to as "the parties") on 12 December 2000 and the preceding Agreement on the Cessation of Hostilities of 18 June 2000 (S/2000/1183 and S/2000/601, respectively, hereinafter referred to as the "Algiers Agreements"), and the delimitation decision by the Boundary Commission of 13 April 2002 (S/2000/423), embraced by the parties as final and binding in accordance with the Algiers Agreements,

Recalling that lasting peace between Ethiopia and Eritrea as well as in the region cannot be achieved without the full demarcation of the border between the parties,

Noting with concern in this regard the lack of progress made in the demarcation of the border, as reflected in the Fourteenth report on the work of the Eritrea-Ethiopia Boundary Commission of 20 August 2004, which concludes that under the present circumstances the Commission is unable to progress with demarcation activities,

Expressing its concern about Ethiopia's ongoing rejection of significant parts of the Boundary Commission's decision, and its current lack of cooperation with the Boundary Commission,

Expressing disappointment about the continuing refusal of Eritrea to engage with the Secretary-General's Special Envoy for Ethiopia and Eritrea, whose good offices represent a concrete opportunity for both parties to move the peace process forward,

Recalling the recent increase in United Nations Peacekeeping activities and the need to allocate peacekeeping resources in the most effective manner, and *recalling* in this regard the additional burden caused by the delays in the demarcation process,

Having considered the report of the Secretary-General (S/2004/708) and fully supporting the observations made therein,

04-50956 (E)

1. *Decides* to extend the mandate of UNMEE until 15 March 2005;

2. *Approves* the adjustments to UNMEE, including its presence and operations, as recommended by the Secretary-General in his report in paras. 13-18;

3. *Calls upon* both parties to cooperate fully and expeditiously with UNMEE in the implementation of its mandate, to ensure the security of all UNMEE staff, and to remove immediately and unconditionally all restrictions on and impediments to the work and full and free movement of UNMEE and its staff;

4. *Takes note* of positive developments in some areas of relations between UNMEE and both parties, *welcomes* in this regard particularly the recent decision by Ethiopia to allow a direct high-altitude flight route between Asmara and Addis Ababa without any deviation, *urges* Ethiopia and Eritrea to take immediate steps, in consultation with UNMEE, towards implementing the direct flights between the two capitals; and also in this regard calls upon Eritrea to reopen the Asmara to Barent road;

5. *Stresses that* Ethiopia and Eritrea have the primary responsibility for the implementation of the Algiers Agreement and the decision of the Eritrea-Ethiopia Boundary Commission and calls upon both parties to show political leadership to achieve a full normalization of their relationship, including through the adoption of further confidence-building measures;

6. *Calls on* the parties to cooperate fully and promptly with the Boundary Commission and to create the necessary conditions for demarcation to proceed expeditiously, including through the payment of Ethiopia's dues to the Boundary Commission and the appointment of field liaison officers;

7. *Urges* Ethiopia to show the political will to reaffirm unequivocally its acceptance of the Boundary Commission's decision, and take the necessary steps to enable the Commission to demarcate the border without further delay;

8. *Reiterates* its full support for the Secretary-General's Special Envoy for Ethiopia and Eritrea, Lloyd Axworthy, in his efforts to facilitate the implementation of the Algiers Agreements, the decision of the Boundary Commission and normalization of diplomatic relations between the two countries through his good offices, and emphasizes that this appointment does not constitute an alternative mechanism;

9. *Calls on* Eritrea to enter into dialogue and cooperation with the Secretary General's Special Envoy for Ethiopia and Eritrea;

10. *Decides* to continue monitoring closely the steps taken by the parties in the implementation of their commitments under the relevant resolutions of the Security Council and under the Algiers Agreements, including through the Boundary Commission, and to review any implications for UNMEE;

11. *Requests* the Secretary-General to continue to monitor the situation closely, to review the mission's mandate in the light of progress made in the peace process and changes made to UNMEE;

12. *Decides* to remain actively seized of the matter.

United Nations S/RES/1561 (2004)

Security Council

Distr.: General
17 September 2004

Resolution 1561 (2004)

Adopted by the Security Council at its 5036th meeting, on 17 September 2004

The Security Council,

Recalling its previous resolutions and statements by its President on Liberia, including its resolutions 1509 (2003) of 19 September 2003 and 1497 (2003) of 1 August 2003, and the 27 August 2003 Statement by its President (S/PRST/2003/14) and other relevant resolutions and statements,

Welcoming the Secretary-General's report of 10 September 2004 (S/2004/725) and its recommendations,

Recognizing the critical role the Economic Community of West African States (ECOWAS) continues to play in the Liberian peace process and welcoming the support and continued engagement of the African Union (AU) and its close coordination with ECOWAS and the United Nations,

Noting the substantial progress made to date in the disarmament phase of the programme of disarmament, demobilization, rehabilitation and reintegration of ex-combatants,

Recalling that its resolutions 1521 (2003) and 1532 (2004) provide for measures against any individuals engaged in activities aimed at undermining peace and stability in Liberia and the subregion,

1. *Decides* to extend the mandate of UNMIL until 19 September 2005;

2. *Calls* on all Liberian parties to demonstrate their full commitment to the peace process and to work together to ensure that free, fair and transparent elections take place as planned no later than October 2005;

3. *Calls* on the international community to respond to the continuing need for funds for the critically important rehabilitation and reintegration phase and to fulfil pledges made at the International Reconstruction Conference on Liberia held on 5 and 6 February 2004;

4. *Requests* the Secretary-General through his Special Representative to continue to report periodically to the Council on UNMIL's progress on the implementation of its mandate;

5. *Decides* to remain actively seized of the matter.

04-51425 (E)

United Nations S/RES/1562 (2004)

Security Council

Distr.: General
17 September 2004

Resolution 1562 (2004)

Adopted by the Security Council at its 5037th meeting, on 17 September 2004

The Security Council,

Recalling its previous resolutions and the statements of its President concerning the situation in Sierra Leone,

Affirming the commitment of all States to respect the sovereignty, political independence and territorial integrity of Sierra Leone,

Commending the efforts of the Economic Community of West African States towards building peace in the subregion, and encouraging the Mano River Union member States to continue their dialogue aimed at building regional peace and security,

Encouraging the United Nations missions in the region to continue their efforts towards developing inter-mission cooperation, especially in the prevention of movements of arms and combatants across borders and in the implementation of disarmament, demobilization and reintegration programmes,

Having considered the report of the Secretary-General of 10 September 2004 (S/2004/724),

Welcoming the further progress made towards the benchmarks for drawdown of the United Nations Mission in Sierra Leone (UNAMSIL), and commending UNAMSIL for the progress made to date in the adjustments to its size, composition and deployment,

Underlining the importance of additional efforts to strengthen the capacity of the Sierra Leone Police and armed forces to maintain security and stability effectively,

Underlining the importance of increasingly close collaboration between UNAMSIL and the United Nations country team in Sierra Leone, to ensure a smooth transition after the final departure of UNAMSIL,

Expressing its appreciation for the essential work of the Special Court for Sierra Leone, noting its vital contribution to the establishment of the rule of law in Sierra Leone, and encouraging all States to cooperate fully with the Court,

04-51437 (E)

Determining that the situation in Sierra Leone continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of UNAMSIL shall be extended until 30 June 2005;

2. *Decides further* that the tasks of the residual UNAMSIL presence, which shall remain in Sierra Leone for an initial period of six months from 1 January 2005, as set out in paragraph 5 of resolution 1537 (2004) of 30 March 2004, shall be the following:

Military and civilian police tasks

- To monitor, in conjunction with district and provincial security committees, the overall security situation, to support the Sierra Leone armed forces and police in patrolling the border and diamond-mining areas, including through joint planning and joint operations where appropriate, and to monitor the growing capacity of the Sierra Leone security sector;
- To support the Sierra Leone Police in maintaining internal security, including security for the Special Court for Sierra Leone while UNAMSIL remains deployed in Sierra Leone;
- To assist the Sierra Leone Police with its programme of recruitment, training and mentoring designed to strengthen further the capacity and resources of the Police;
- To protect United Nations personnel, installations and equipment and ensure the security and freedom of movement of United Nations personnel, within its capabilities and its areas of deployment;

Civilian tasks

- To monitor the repatriation, reception, resettlement and reintegration of Sierra Leonean ex-combatants from abroad;
- To monitor, investigate, report and promote the observance of human rights;
- To disseminate information on the mission's mandate and purpose and publicize the Government's primary responsibility for national security, including through United Nations radio;
- To monitor progress towards consolidation of State authority throughout the country;

3. *Authorizes* the residual UNAMSIL presence to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

4. *Expresses* its intention to review regularly the residual UNAMSIL presence against the following benchmarks:

- Strengthening the capacity of the Sierra Leone armed forces and police to maintain security and stability effectively throughout the country;
- Consolidating State authority throughout the country;
- Consolidating the deployment of UNMIL throughout Liberia;

5. *Welcomes* the Secretary-General's assurance, as set out in paragraph 91 of his report of 19 March 2004 (S/2004/228), that where military observers, civil affairs officers, political affairs officers, human rights officers and civilian police personnel are co-deployed, they will function as integrated units and work in close collaboration with the United Nations country team;

6. *Urges* the Government of Sierra Leone to intensify its efforts to develop an effective and sustainable police force, armed forces, penal system and independent judiciary, so that the Government can take over from UNAMSIL as soon as possible full responsibility for maintaining law and order throughout Sierra Leone, including in the sensitive diamond-producing areas, and encourages donors and UNAMSIL, in accordance with its mandate, to continue to assist the Government in this regard, as well as to assist the Government in restoring public services throughout the country;

7. *Welcomes* the Secretary-General's intention to keep the security, political, humanitarian and human rights situation in Sierra Leone under close review and to report regularly to the Council, after due consultations with troop-contributing countries and the Government of Sierra Leone;

8. *Decides* to remain actively seized of the matter.

United Nations S/RES/1563 (2004)

Security Council

Distr.: General
17 September 2004

Resolution 1563 (2004)

Adopted by the Security Council at its 5038th meeting, on 17 September 2004

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular its resolutions 1386 (2001) of 20 December 2001, 1413 (2002) of 23 May 2002, 1444 (2002) of 27 November 2002 and 1510 (2003) of 13 October 2003,

Reaffirming its strong commitment *to* the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reaffirming also its resolutions 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001 and *reiterating* its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghans themselves and *welcoming* the continuing cooperation of the Afghan Transitional Administration with the International Security Assistance Force,

Reaffirming the importance of the Bonn Agreement and the Berlin Declaration, and recalling in particular annex 1 of the Bonn Agreement which, inter alia, provides for the progressive expansion of the International Security Assistance Force to other urban centres and other areas beyond Kabul,

Stressing also the importance of extending central government authority to all parts of Afghanistan, of conducting free and fair elections, of comprehensive disarmament, demobilization and reintegration of all armed factions, of justice sector reform, of security sector reform including reconstitution of the Afghan National Army and Police, and of combating narcotics trade and production, and recognizing certain progress that has been made in these and other areas with the help of the international community,

Recognizing the constraints upon the full implementation of the Bonn Agreement resulting from concerns about the security situation in parts of Afghanistan, in particular in the light of the upcoming elections,

Welcoming in this context the commitment by NATO lead nations to establish further Provincial Reconstruction Teams (PRTs), as well as the readiness of the

04-51461 (E)

International Security Assistance Force and the Operation Enduring Freedom Coalition to assist in securing the conduct of national elections,

Expressing its appreciation to Eurocorps for taking over the lead from Canada in commanding the International Security Assistance Force, to Canada for its leadership of the International Security Assistance Force during the past year, and recognizing with gratitude the contributions of many nations to the International Security Assistance Force,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in consultation with the Afghan Transitional Administration and its successors,

Acting for these reasons under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolution 1386 (2001) and 1510 (2003), for a period of twelve months beyond 13 October 2004;

2. *Authorizes* the Member States participating in the International Security Assistance Force to take all necessary measures to fulfil its mandate;

3. *Recognizes* the need to strengthen the International Security Assistance Force, and in this regard *calls upon* Member States to contribute personnel, equipment and other resources to the International Security Assistance Force, and to make contributions to the Trust Fund established pursuant to resolution 1386 (2001);

4. *Calls upon* the International Security Assistance Force to continue to work in close consultation with the Afghan Transitional Administration and its successors and the Special Representative of the Secretary-General as well as with the Operation Enduring Freedom Coalition in the implementation of the force mandate;

5. *Requests* the leadership of the International Security Assistance Force to provide quarterly reports on implementation of its mandate to the Security Council through the Secretary-General;

6. *Decides* to remain actively seized of the matter.

United Nations S/RES/1564 (2004)

Security Council

Distr.: General
18 September 2004

Resolution 1564 (2004)

Adopted by the Security Council at its 5040th meeting, on 18 September 2004

The Security Council,

Recalling its resolution 1556 (2004) of 30 July 2004, the statement of its President of 25 May 2004 (S/PRST/2004/18), its resolution 1547 (2004) of 11 June 2004 and resolution 1502 (2003) of 26 August 2003, and *taking into account* the Plan of Action agreed by the Secretary-General's Special Representative to Sudan and the Government of Sudan,

Welcoming the Secretary-General's report of 30 August 2004 (S/2004/703) and the progress achieved on humanitarian access, and expressing concern that paragraphs 59-67 indicate that the Government of Sudan has not fulfilled the entirety of its commitments under resolution 1556 (2004) and taking into account the need to foster and restore the confidence of vulnerable populations and to improve radically the overall security environment in Darfur; and *welcoming* the recommendations contained in the report, particularly those concerning the desirability of a substantially increased African Union Mission presence in the Darfur region of Sudan,

Welcoming the leadership role and the engagement of the African Union in addressing the situation in Darfur,

Welcoming the 6 September 2004 letter to the President of the Security Council from the President of the African Union, Nigerian President Olusegun Obasanjo, including his appeal for international support for the extension of the African Union Mission in Darfur,

Reaffirming its commitment to the sovereignty, unity, territorial integrity, and independence of Sudan, as consistent with the Machakos Protocol of 20 July 2002 and subsequent agreements based on this Protocol as agreed to by the Government of Sudan,

Recalling the Joint Communiqué of 3 July 2004 of the Government of Sudan and the United Nations Secretary-General, and *recognizing* the efforts undertaken by the Joint Implementation Mechanism (JIM) and the Special Representative of the Secretary-General to advance the aims of the communiqué and the requirements of resolution 1556 (2004),

04-51547 (E)

Welcoming that the Government of Sudan has taken a number of steps to lift administrative obstructions to the delivery of humanitarian relief, which has resulted in access for an increased number of humanitarian personnel in Darfur as well as international human rights non-governmental institutions, and *recognizing* that the Government of Sudan has broadened its cooperation with United Nations humanitarian agencies and their partners,

Urging the Government of Sudan and the rebel groups to facilitate this humanitarian relief by allowing unfettered access for humanitarian supplies and workers, including across Sudan's borders with Chad and Libya by land and by air as may be required,

Expressing grave concern at the lack of progress with regard to security and the protection of civilians, disarmament of the Janjaweed militias and identification and bringing to justice of the Janjaweed leaders responsible for human rights and international humanitarian law violations in Darfur,

Recalling that the Sudanese Government bears the primary responsibility to protect its population within its territory, to respect human rights, and to maintain law and order, and that all parties are obliged to respect international humanitarian law,

Stressing that the Sudanese rebel groups, particularly the Justice and Equality Movement and the Sudanese Liberation Army/Movement, must also take all necessary steps to respect international humanitarian and human rights law,

Emphasizing that the ultimate resolution of the crisis in Darfur must include the safe and voluntary return of internally displaced persons and refugees to their original homes, and *noting* in that regard the 21 August 2004 Memorandum of Understanding between the Government of Sudan and the International Organization for Migration (IOM),

Expressing its determination to do everything possible to end the suffering of the people of Darfur,

Determining that the situation in Sudan constitutes a threat to international peace and security and to stability in the region,

Acting under Chapter VII of the United Nations Charter,

1. *Declares* its grave concern that the Government of Sudan has not fully met its obligations noted in resolution 1556 (2004) and the 3 July Joint Communiqué with the Secretary-General to improve, as expected by the Council, the security of the civilian population of Darfur in the face of continued depredations, and *deplores* the recent ceasefire violations by all parties, in particular the reports by the Cease Fire Commission of Government of Sudan helicopter assaults and Janjaweed attacks on Yassin, Hashaba and Gallab villages on 26 August 2004;

2. *Welcomes* and *supports* the intention of the African Union to enhance and augment its monitoring mission in the Darfur region of Sudan, and encourages the undertaking of proactive monitoring;

3. *Urges* Member States to support the African Union in these efforts including by providing all equipment, logistical, financial, material, and other resources necessary to support the rapid expansion of the African Union Mission

and by supporting the efforts of the African Union aimed at a peaceful conclusion of the crisis and the protection of the welfare of the people of Darfur, *welcomes* the Government of Sudan's request to the African Union to increase its monitoring presence in Darfur in its 9 September 2004 letter to the Security Council, and *urges* the Government of Sudan to take all steps necessary to follow through with this commitment and to cooperate fully with the African Union to ensure a secure and stable environment;

4. *Calls upon* the Government of Sudan and the rebel groups, particularly the Justice and Equality Movement and the Sudanese Liberation Army/Movement, to work together under the auspices of the African Union to reach a political solution in the negotiations currently being held in Abuja under the leadership of President Obasanjo, *notes* the progress made to date, *urges* the parties to the negotiations to sign and implement the humanitarian agreement immediately, and to conclude a protocol on security issues as soon as possible, and *underscores* and *supports* the role of the African Union in monitoring the implementation of all such agreements reached;

5. *Urges* the Government of Sudan and the Sudan People's Liberation Movement to conclude a comprehensive peace accord expeditiously as a critical step towards the development of a peaceful and prosperous Sudan;

6. *Affirms* that internally displaced persons, refugees and other vulnerable peoples should be allowed to return to their homes voluntarily, in safety and with dignity, and only when adequate assistance and security are in place;

7. *Reiterates* its call for the Government of Sudan to end the climate of impunity in Darfur by identifying and bringing to justice all those responsible, including members of popular defense forces and Janjaweed militias, for the widespread human rights abuses and violations of international humanitarian law, and *insists* that the Government of Sudan take all appropriate steps to stop all violence and atrocities;

8. *Calls on* all Sudanese parties to take the necessary steps to ensure that violations reported by the Cease Fire Commission are addressed immediately and that those responsible for such violations are held accountable;

9. *Demands* that the Government of Sudan submit to the African Union Mission for verification documentation, particularly the names of Janjaweed militiamen disarmed and names of those arrested for human rights abuses and violations of international humanitarian law, with regard to its performance relative to resolution 1556 (2004) and the 8 April 2004 N'djamena ceasefire agreement;

10. *Demands* all armed groups, including rebel forces, cease all violence, cooperate with international humanitarian relief and monitoring efforts and ensure that their members comply with international humanitarian law, and facilitate the safety and security of humanitarian staff;

11. *Reiterates* its full support for the 8 April 2004 N'djamena ceasefire agreement, and in this regard *urges* the Government of Sudan to refrain from conducting military flights in and over the Darfur region in accordance with its commitments;

12. *Requests* that the Secretary-General rapidly establish an international commission of inquiry in order immediately to investigate reports of violations of

international humanitarian law and human rights law in Darfur by all parties, to determine also whether or not acts of genocide have occurred, and to identify the perpetrators of such violations with a view to ensuring that those responsible are held accountable, *calls on* all parties to cooperate fully with such a commission, and *further requests* the Secretary-General, in conjunction with the Office of the High Commissioner for Human Rights, to take appropriate steps to increase the number of human rights monitors deployed to Darfur;

13. *Calls on* Member States to provide in an urgent manner generous and sustained contributions to the humanitarian efforts under way in Darfur and Chad to address the shortfall in response to continued United Nations appeals, *emphasizes* the need for Member States to fulfil their pledges forthwith, and *welcomes* the substantial contributions made to date;

14. *Declares* that the Council, in the event the Government of Sudan fails to comply fully with resolution 1556 (2004) or this resolution, including, as determined by the Council after consultations with the African Union, failure to cooperate fully with the expansion and extension of the African Union monitoring mission in Darfur, *shall consider* taking additional measures as contemplated in Article 41 of the Charter of the United Nations, such as actions to affect Sudan's petroleum sector and the Government of Sudan or individual members of the Government of Sudan, in order to take effective action to obtain such full compliance or full cooperation;

15. *Requests* that, in the monthly reports pursuant to resolution 1556 (2004), the Secretary-General report to the Council on the progress or lack thereof by the Government of Sudan in complying with the Council's demands in this resolution and the effort by the Government of Sudan and the Sudan People's Liberation Movement to conclude a comprehensive peace accord on an urgent basis;

16. *Decides* to remain seized of the matter.

United Nations S/RES/1565 (2004)

Security Council

Distr.: General
1 October 2004

Resolution 1565 (2004)

Adopted by the Security Council at its 5048th meeting, on 1 October 2004

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to respect the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all the States of the region,

Reaffirming its support for the process of the Global and All Inclusive Agreement on the Transition in the Democratic Republic of the Congo (signed in Pretoria on 17 December 2002), *welcoming* the efforts made to date for its implementation by the Government of National Unity and Transition, and *calling on* all the Congolese parties to honour their commitments in this regard, in particular so that free, fair and peaceful elections can take place within the agreed time frame,

Deeply concerned by the continuation of hostilities in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and in the Ituri district, and by the grave violations of human rights and of international humanitarian law that accompany them,

Recalling that all the parties bear responsibility for ensuring security with respect to the civilian populations, and *recalling in particular* in this regard its resolutions 1325 (2000) on women, peace and security, 1379 (2001), 1460 (2003) and 1539 (2004) on children in armed conflict, and 1265 (1999) and 1296 (2000) on the protection of civilians in armed conflict,

Taking note of the third special report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), dated 16 August 2004 (S/2004/650), and of its recommendations,

Taking note of the letter of the Secretary-General dated 3 September 2004 (S/2004/715),

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

04-53189 (E)

1. *Decides* to extend the deployment of MONUC until 31 March 2005;

2. *Requests* the Secretary-General to arrange the rapid deployment of additional military capabilities for MONUC in accordance with the recommendation contained in his letter dated 3 September 2004, and, beyond, to deploy as soon as possible in the provinces of North and South Kivu all the brigades and appropriate force enablers;

3. *Authorizes* the increase of MONUC's strength by 5,900 personnel, including up to 341 civilian police personnel, as well as the deployment of appropriate civilian personnel, appropriate and proportionate air mobility assets and other force enablers, and *expresses its determination* to keep MONUC's strength and structure under regular review, taking into account the evolution of the situation on the ground;

4. *Decides* that MONUC will have the following mandate:

(a) to deploy and maintain a presence in the key areas of potential volatility in order to promote the re-establishment of confidence, to discourage violence, in particular by deterring the use of force to threaten the political process, and to allow United Nations personnel to operate freely, particularly in the Eastern part of the Democratic Republic of the Congo,

(b) to ensure the protection of civilians, including humanitarian personnel, under imminent threat of physical violence,

(c) to ensure the protection of United Nations personnel, facilities, installations and equipment,

(d) to ensure the security and freedom of movement of its personnel,

(e) to establish the necessary operational links with the United Nations Operation in Burundi (ONUB), and with the Governments of the Democratic Republic of the Congo and Burundi, in order to coordinate efforts towards monitoring and discouraging cross-border movements of combatants between the two countries,

(f) to monitor the implementation of the measures imposed by paragraph 20 of resolution 1493 of 28 July 2003, including on the lakes, in cooperation with ONUB and, as appropriate, with the Governments concerned and with the group of experts referred to in paragraph 10 of resolution 1533 of 12 March 2004, including by inspecting, as it deems it necessary and without notice, the cargo of aircraft and of any transport vehicle using the ports, airports, airfields, military bases and border crossings in North and South Kivu and in Ituri,

(g) to seize or collect, as appropriate, arms and any related materiel whose presence in the territory of the Democratic Republic of the Congo violates the measures imposed by paragraph 20 of resolution 1493, and dispose of such arms and related materiel as appropriate,

(h) to observe and report in a timely manner, on the position of armed movements and groups, and the presence of foreign military forces in the key areas of volatility, especially by monitoring the use of landing strips and the borders, in particular on the lakes;

5. *Decides* that MONUC will also have the following mandate, in support of the Government of National Unity and Transition:

(a) to contribute to arrangements taken for the security of the institutions and the protection of officials of the Transition in Kinshasa until the integrated police unit for Kinshasa is ready to take on this responsibility and assist the Congolese authorities in the maintenance of order in other strategic areas, as recommended in paragraph 103 (c) of the Secretary-General's third special report,

(b) to contribute to the improvement of the security conditions in which humanitarian assistance is provided, and assist in the voluntary return of refugees and internally displaced persons,

(c) to support operations to disarm foreign combatants led by the Armed Forces of the Democratic Republic of the Congo, including by undertaking the steps listed in paragraph 75, subparagraphs (b), (c), (d) and (e) of the Secretary-General's third special report,

(d) to facilitate the demobilization and voluntary repatriation of the disarmed foreign combatants and their dependants,

(e) to contribute to the disarmament portion of the national programme of disarmament, demobilization and reintegration (DDR) of Congolese combatants and their dependants, in monitoring the process and providing as appropriate security in some sensitive locations,

(f) to contribute to the successful completion of the electoral process stipulated in the Global and All Inclusive Agreement, by assisting in the establishment of a secure environment for free, transparent and peaceful elections to take place,

(g) to assist in the promotion and protection of human rights, with particular attention to women, children and vulnerable persons, investigate human rights violations to put an end to impunity, and continue to cooperate with efforts to ensure that those responsible for serious violations of human rights and international humanitarian law are brought to justice, while working closely with the relevant agencies of the United Nations;

6. *Authorizes* MONUC to use all necessary means, within its capacity and in the areas where its armed units are deployed, to carry out the tasks listed in paragraph 4, subparagraphs (a) to (g) above, and in paragraph 5, subparagraphs (a), (b), (c), (e) and (f) above;

7. *Decides* that MONUC will also have the mandate, within its capacity and without prejudice to carrying out tasks stipulated in paragraphs 4 and 5 above, to provide advice and assistance to the transitional government and authorities, in accordance with the commitments of the Global and All Inclusive Agreement, including by supporting the three joint commissions outlined in paragraph 62 of the Secretary-General's third special report, in order to contribute to their efforts, with a view to take forward:

(a) Essential legislation, including the future constitution,

(b) Security sector reform, including the integration of national defence and internal security forces together with disarmament, demobilization and reintegration

and, in particular, the training and monitoring of the police, while ensuring that they are democratic and fully respect human rights and fundamental freedoms,

(c) The electoral process;

8. *Requests* the Secretary-General to report to the Council within one month of the adoption of this resolution, on reforms necessary to improve the structures of command and control and the management of military information within MONUC, and to rationalize the civilian and police components of MONUC;

9. *Requests* the Secretary-General, through his Special Representative for the Democratic Republic of the Congo, to coordinate all the activities of the United Nations system in the Democratic Republic of the Congo;

10. *Requests* the Secretary-General to ensure that his Special Representatives for the Democratic Republic of the Congo and for Burundi coordinate the activities of MONUC and ONUB, in particular:

- by sharing military information at their disposal, especially those concerning cross-border movements of armed elements and arms trafficking,
- by pooling their logistic and administrative resources, to an extent that does not prejudice the ability of these missions to carry out their respective mandates, in order to ensure their maximum efficiency and cost-effectiveness,
- and by coordinating, as appropriate, implementation of the national programmes for disarmament and demobilization and repatriation, reintegration and resettlement;

11. *Stresses* the need for the Government of National Unity and Transition to carry out the process provided for by the Global and All Inclusive Agreement, and in particular to implement the recommendations listed in paragraph 54 of the Secretary-General's third special report, including by producing, with the support of MONUC, precise plans and timelines in each of the fields identified;

12. *Calls upon* the Government of National Unity and Transition to cooperate closely with MONUC in establishing three joint commissions on essential legislation, security sector reform and elections, and in implementing the security sector reform, in accordance with paragraph 7 above;

13. *Urges* the Government of National Unity and Transition to continue with determination and rapidity the integration of the security forces, in particular the integration of the armed forces, and *underlines* the importance of regular meetings of the Supreme Defence Council and of its cooperation with the international partners of the Democratic Republic of the Congo, especially with MONUC, as positive signals of the commitment of the Government of National Unity and Transition in this regard;

14. *Urges* the Government of National Unity and Transition to develop without further delay a plan for the disarmament of foreign combatants, and to entrust its implementation to the Armed Forces of the Democratic Republic of the Congo, with the support of MONUC;

15. *Urges* each of the Governments of the Democratic Republic of the Congo, Burundi, Rwanda and Uganda, to ensure that its territory is not used to infringe the sovereignty of the others, to realize without further delay the complete

normalization of their bilateral relations, and to cooperate actively in assuring security along their common borders, in particular by implementing agreements they have signed for the establishment of joint verification mechanisms with the active participation of MONUC, and *exhorts* them to comply in this regard with the recommendations listed in paragraph 55 of the Secretary-General's third special report;

16. *Urges* in particular, the Governments of the Democratic Republic of the Congo and Rwanda to work together and with MONUC and the African Union, with a view to removing the threat posed by foreign armed groups, as they have agreed to in the Agreement signed in Pretoria on 30 July 2002 and the Declaration signed in Pretoria on 27 November 2003 and in accordance with the "Terms of Reference" signed in New York on 22 September 2004;

17. *Calls upon* the Government of National Unity and Transition and Congolese officials at all levels to take all necessary steps, while respecting freedom of expression and of the press, to prevent the use of the media to incite hatred or tensions among communities;

18. *Calls upon* the Member States, the international organizations concerned and the community of donors to provide their full support to the transitional process, the extension of State authority throughout the territory and long-term social and economic development, in the Democratic Republic of the Congo, and *encourages* them in this regard to respond positively to the recommendations listed in paragraph 57 of the Secretary-General's third special report;

19. *Strongly condemns* violence and other violations of international humanitarian law and human rights, in particular those perpetrated against civilians, in the Democratic Republic of the Congo, and *demands* that all parties and Governments concerned in the region, including the Government of National Unity and Transition, take without delay all necessary steps to bring to justice those responsible for these violations and to ensure respect for human rights and international humanitarian law, as appropriate with relevant international assistance, as well as to guarantee the security and well-being of the civilian population;

20. *Demands* that all parties cooperate fully with the operations of MONUC and that they ensure the safety of as well as unhindered and immediate access for United Nations and associated personnel in carrying out their mandate, throughout the territory of the Democratic Republic of the Congo, *demands* in particular that all parties provide full access to MONUC military observers, including in all ports, airports, airfields, military bases and border crossings, and *requests* the Secretary-General to report without delay any failure to comply with these demands;

21. *Recalling* its resolution 1502 of 26 August 2003, *reaffirms* the obligation of all parties to comply fully with the rules and principles of international humanitarian law applicable to them related to the protection of humanitarian and United Nations personnel, and *also urges* all those concerned to allow immediate, full and unimpeded access by humanitarian personnel to all people in need of assistance as set forth in applicable international humanitarian law;

22. *Recalls* the link between the illicit exploitation and trade of natural resources in certain regions and the fuelling of armed conflicts and, in line with its resolutions 1493 (2003), 1533 (2004) and 1552 (2004), *condemns categorically* the illegal exploitation of the natural resources and other sources of wealth of the

Democratic Republic of the Congo, *urges* all States, especially those in the region including the Democratic Republic of the Congo itself, to take appropriate steps in order to end these illegal activities, including if necessary through judicial means, and to report to the Council as appropriate, and *exhorts* the international financial institutions to assist the Government of National Unity and Transition in establishing efficient and transparent control of the exploitation of natural resources;

23. *Welcomes* the convening of the international conference on peace, security, democracy and development in the Great Lakes region of Africa, with inclusive participation by all the Governments concerned, under the aegis of the African Union and the United Nations, with a view to strengthening stability in the region and working out conditions that will enable each State to enjoy the right to live in peace;

24. *Encourages* all Member States to increase international political engagement in the peace process in the region, as requested in paragraph 57 of the Secretary-General's third report;

25. *Expressing grave concern* at the allegations of sexual exploitation and misconduct by civilian and military personnel of MONUC, *requests* the Secretary-General to continue to fully investigate these allegations to take the appropriate action in accordance with the Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) and to keep the Council informed, *further encourages* MONUC to conduct training for personnel targeted to ensure full compliance with its code of conduct regarding sexual misconduct, and *urges* troop-contributing countries to take appropriate disciplinary and other action to ensure full accountability in cases of such misconduct involving their personnel;

26. *Requests* the Secretary-General to keep it informed regularly of developments in the situation in the Democratic Republic of the Congo, and to submit to the Council before 28 February 2005 a report on the execution of MONUC's mandate, including an evaluation of the structure and strength of its military, civilian and police components, with a view to their adjustment according to the progress made on the ground and the tasks remaining to be accomplished;

27. *Reiterates its strong support* for the Special Representative of the Secretary-General and MONUC, and for the efforts they continue to make to assist the parties in the Democratic Republic of the Congo and in the region to advance the peace process;

28. *Decides* to remain actively seized of the matter.